1st April 1953] [Sri K. V. Ramesam]

If the minor inams are included in the term ' under-tenure estate,' the Hon. Land Revenue Minister will have to make it clear that the minor inams also are abolished by reason of the abolition of the major estate and that they are also entitled to compensation. This is a point in which several hon. Members are interested. I therefore request the Hon. Minister for Land Revenue to kindly explain whether the minor inamdars also are entitled to compensation and whether their inams are abolished along with the major estate."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" The inams that will not come within the scope of this Bill are the 1936 inams."

MR. SPEAKER :—" The question is—

' That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be passed into law.' "

The motion was put and carried and the Bill was passed into law.

(6) THE MADRAS ESTATES LAND (REDUCTION OF RENT) AMENDMENT BILL, 1953.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Speaker, I beg to introduce the Madras Estates Land (Reduction of Rent) Amendment Bill [a] 1953, and move—

*' That the Bill be taken into consideration at once.'*

Sir, an ' estate ' is defined in the Estates Land Act and when any estate is to be taken over, the Special Officer goes into the question and decides whether an estate comes under the definition of ' estate ' as per the Estates Land Act or not. Sometimes he decides wrongly and we have to rectify the wrong. In some cases the High Court also decides that a particular estate does not come under the definition of ' estate ' and that the Government have no power to notify. In order to remedy similar defects, this Bill is brought forward. Under the existing Act, we have no power and under this Bill we want to take that power to cancel a wrong notification and correct errors."

MR. SPEAKER :—" Motion moved—

' That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1953, be taken into consideration at once.' "

* SRI T. NAGI REDDI :—" Sir, when a similar Bill was brought before the House previously, we were given an assurance by the Hon. Chief Minister that it might not be brought before the House for discussion at all. I would like to know what changes have been made in this Bill for the Government to bring it before the House now because I fear that the scope of the Bill has been reduced to the definition of an ' estate '. The scope of the Bill that was presented to us previously was not that. So I would like to

[a] Published in the *Fort St. George Gazette*, dated 4th March 1953.

ask the Hon. Minister for Land Revenue to explain the difference between the Bill that was given to us previously and the present Bill. The Hon. Chief Minister also assured us that he would re-consider the whole question. These are the few points on which I expect a clarification from the Hon. Minister for Land Revenue so that we would be able to understand the scope of the Bill."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, the other issue about changing or amending the definition of the word ' estate ' is still under the consideration of the Government and we propose to bring an amending Bill in order to clarify the difference and bring in some more estates under the definition of ' estate '. Meanwhile we want power to cancel and correct errors. Under the existing Act, we have no power to cancel. Therefore this Bill is brought forward to give power to the Government to cancel a wrong notification and also correct errors."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, Sir, I beg to move—

' *That the Madras Estates Land (Reduction of Rent) Amendment Bill,* 1953, *be referred to a Select Committee.*' "

The amendments were duly seconded.

SRI K. GOVINDA RAO :—" Mr. Speaker, I beg to move—

' *That the Madras Estates Land (Reduction of Rent) Amendment Bill,* 1953, *be circulated for the purpose of eliciting public opinion.*' "

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I second the amendment moved by my hon. Friend Sri K. Govinda Rao."

MR. SPEAKER :—" The main motion and the amendments are before the House for discussion."

* SRI K. GOVINDA RAO :—" Mr. Speaker, there was a lot of dispute over this Bill when it was brought in the previous session. The Hon. Chief Minister gave a categorical assurance that this Bill was not going to come up before this House except in the matter of amplifying the scope of the word ' estate.' Today we are taken unawares by the Hon. Minister for Land Revenue in introducing this Bill. If the Government are serious about it, I would request the Hon. Minister for Land Revenue to take this up tomorrow as there are many disputable points on which clarification is necessary. I hope the Hon. Minister will accept it."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I would like this to be put off to tomorrow. I want to be sure whether this is exactly the same Bill on which I gave the assurance. I am afraid there may be some mistake. The Bill is rather complicated and it may be taken up tomorrow. I move—

' *That the further consideration of the Bill be postponed to tomorrow.*' "

The motion for postponement was put and carried.

MR. SPEAKER :—" Now the Hon. Minister for Rural Welfare will introduce the Madras Entertainments Tax (Amendment) Bill, 1953."

(7) THE MADRAS ENTERTAINMENTS TAX (AMENDMENT) BILL, 1953.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Mr. Speaker, Sir, I beg to introduce the Madras Entertainments Tax (Amendment) Bill, [a] 1953, and move— 6-10 p.m.

'*That the Bill be taken into consideration at once.*'

While moving this motion, I would like to point out that as a general rule section 13 (1) of the Madras Entertainments Tax Act, 1939 (Madras Act X of 1939) provides for payment of 90 per cent of the entertainments tax to the local authority having jurisdiction over the area in which the entertainments are held and further gives power to the Government to fix the proportions in which the proceeds of the tax should be distributed between such local authority and neighbouring local authorities; and section 13 (2) makes provision for Government to determine the sums which should be paid to the local authorities in the State. As the determination of the Government under section 13 (2) has been made final, it has not been found possible to vary it, although circumstances do arise from time to time, which make such variation essential and equitable in particular cases, for instance, where there has been a mistake or where a material fact has not been brought to notice or where new circumstances have arisen. The Bill amends section 13, sub-section (1) so as to enable the Government in the cases mentioned above, to modify any order assigning the portion of the proceeds of the tax either entirely to a local authority or proportionately to local authorities; and provides that no order under section 13 (1) relating to any local authority should be modified after the expiry of two years from the end of that period. In view of these amendments, it is considered unnecessary to retain existing sub-section (2) of section 13 relating to the working out of the actual sums payable to local authorities. Provision has also been made for the recovery by the Government of any amount paid in excess to local authorities."

MR. SPEAKER :—" Motion moved—

'That the Madras Entertainments Tax (Amendment) Bill, 1953, be taken into consideration at once.' "

* SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, Sir, I move—

'*That the Madras Entertainments Tax (Amendment) Bill, 1953, be referred to a Select Committee.*' "

The amendment was duly seconded.

SRI S. RAMALINGAM :—" Mr. Speaker, I have also given notice of a similar amendment."

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[a] Published in the *Fort St. George Gazette*, dated 18th March 1953.